

STATE OF MICHIGAN

IN THE 10<sup>TH</sup> JUDICIAL CIRCUIT COURT-FAMILY DIVISION

MELISSA J. CALICE,  
Plaintiff,

File No. 12-017215-DZ-1

NOTICE OF PRESENTMENT

VS.

RICHARD A. CALICE, JR.  
Defendant.

TO: COURT CLERK

TIMOTHY R. McLEOD  
ATTORNEY AT LAW  
P. O. BOX 6055  
SAGINAW, MI 48608-6055


THOMAS J. DEMETRIOU  
ATTORNEY AT LAW  
3262 CABARET TRAIL, STE. 206  
SAGINAW, MI 48603

NOTICE IS HEREBY GIVEN that the attached proposed Order has been presented to the Circuit Court for entry. The Court will sign the Order unless written objections are made by a party within 14 days and filed with the Court Clerk, 111 South Michigan Avenue, Saginaw, MI 48602. THE PARTY FILING THE OBJECTIONS TO THE ENTRY OF THE PROPOSED ORDER MUST COMPLY WITH MCR 2.602(B) by:

1. STATING SPECIFICALLY THE INACCURACY OR THE OMISSION TO THE PROPOSED ORDER.
2. SERVING THE OBJECTION ON THE OPPOSING PARTY, THE OPPOSING PARTY'S ATTORNEY, AND THE SAGINAW COUNTY FRIEND OF THE COURT.
3. SERVING A NOTICE OF HEARING ON THE OPPOSING PARTY, THE OPPOSING PARTY'S ATTORNEY, AND THE SAGINAW COUNTY FRIEND OF THE COURT.
4. SERVING AN ALTERNATE PROPOSED ORDER (OR A STATEMENT SETTING OUT DETAILED REASONS WHY AN ALTERNATE ORDER IS NOT APPROPRIATE AT THIS TIME) ON THE OPPOSING PARTY, THE OPPOSING PARTY'S ATTORNEY, AND THE SAGINAW COUNTY FRIEND OF THE COURT.

Failure to comply with the court rule may cause any objections to be disregarded.

SAGINAW COUNTY FRIEND OF THE COURT

  
\_\_\_\_\_  
SUSAN K. PRINE (P33530)  
FRIEND OF THE COURT

PROOF OF SERVICE

I certify that I sent by first class mail with postage fully prepaid thereon, a copy of the foregoing to parties and attorneys of record at their addresses as shown by the records of the Friend of the Court.

2-11-13  
Date

  
\_\_\_\_\_  
FRIEND OF THE COURT STAFF

STATE OF MICHIGAN

IN THE 10TH JUDICIAL CIRCUIT-FAMILY DIVISION

MELISSA J. CALICE,  
PLAINTIFF,

FILE NO: 12-017215-DZ-1

VS.

FRIEND OF THE COURT ORDER  
PURSUANT TO THE CUSTODY  
AND/OR PARENTING TIME  
RECOMMENDATION

RICHARD A. CALICE, JR.  
DEFENDANT.

AT A SESSION OF SAID COURT HELD IN THE COURTHOUSE IN THE CITY AND COUNTY OF SAGINAW, STATE OF  
MICHIGAN, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

PRESENT: HONORABLE FRED L. BORCHARD, CIRCUIT COURT JUDGE

The Court having ordered that the Friend of the Court Office conduct an investigation regarding custody and parenting time, an investigation having been completed and a Recommendation having been filed, a copy of which is attached hereto, and the Court being fully advised in the premises:

IT IS ORDERED THAT the attached is the Order of the Court.

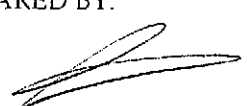
IT IS FURTHER ORDERED THAT a parent whose custody or parenting time of a child is governed by this order shall not change the legal residence of the child except in compliance with section 11 of the MCL 722.31 to a location that is more than 100 miles from the child's legal residence at the time of the commencement of the action in which the order is issued.

\_\_\_\_\_  
FRED L. BORCHARD, CIRCUIT COURT JUDGE

Countersigned:

\_\_\_\_\_  
Deputy Clerk

PREPARED BY:

  
\_\_\_\_\_  
SUSAN K. PRINE (P33530)  
FRIEND OF THE COURT

CERTIFICATE OF MAILING

I certify that on this date I mailed with first class postage fully prepaid of the foregoing to the Plaintiff and Defendant at their address as shown by the records of the Friend of the Court and/or their attorneys of record as shown above.

\_\_\_\_\_  
Date of Mailing

\_\_\_\_\_  
Friend of the Court Staff

CALICE -VS- CALICE

FILE NO: 12-017215 DZ-1

1. THE PARTIES SHALL BE GRANTED JOINT LEGAL CUSTODY OF THE TWO MINOR CHILDREN OF THIS CAUSE.

2. THE PLAINTIFF SHALL BE GRANTED PHYSICAL CUSTODY OF THE CHILDREN.

3. THE DEFENDANT SHALL BE GRANTED LIBERAL PARENTING TIME WITH THE TWO MINOR CHILDREN OF THIS CAUSE AS FOLLOWS:

A) THE DEFENDANT SHALL HAVE THE CHILDREN FOR LABOR DAY AND MEMORIAL DAY WEEKENDS EACH YEAR, FROM FRIDAY AT 5:00 P.M. UNTIL MONDAY AT 5:00 P.M.

B) THE DEFENDANT SHALL HAVE THE CHILDREN EACH THANKSGIVING. ON ALL EVEN NUMBERED YEARS, HE SHALL HAVE FROM THE WEDNESDAY BEFORE THANKSGIVING AT 5:00 P.M. UNTIL THE SUNDAY AFTER THANKSGIVING AT 6:00 P.M. ON ALL ODD NUMBERED YEARS, HE SHALL HAVE THE DAY AFTER THANKSGIVING, FROM 10:00 A.M. UNTIL THE SUNDAY FOLLOWING THANKSGIVING AT 5:00 P.M.

C) THE DEFENDANT SHALL HAVE PARENTING TIME WITH THE MINOR CHILDREN EACH CHRISTMAS. IN ALL EVEN NUMBERED YEARS, HE SHALL HAVE FROM 12/26 THROUGH THE DAY PRIOR TO SCHOOL RESUMING AT 5:00 P.M. IN ALL ODD NUMBERED YEARS HE SHALL HAVE FROM THE DAY SCHOOL CONCLUDES FOR CHRISTMAS BREAK AT 5:00 P.M. UNTIL THE DAY PRIOR TO SCHOOL RESUMING AT 5:00 P.M.

D) THE DEFENDANT SHALL HAVE THE MINOR CHILDREN EACH SPRING BREAK PERIOD, FROM THE DAY SCHOOL CONCLUDES AT 5:00 P.M. UNTIL THE DAY PRIOR TO SCHOOL RESUMING AT 5:00 P.M.

E) IN THE MONTHS OF OCTOBER, JANUARY, FEBRUARY, AND MARCH, THE DEFENDANT SHALL BE GRANTED ONE WEEKEND IN EACH OF THESE MONTHS. IF THE MINOR CHILDREN HAVE A FRIDAY OR MONDAY 'OFF' IN THESE MONTHS, THE DEFENDANT SHALL EXERCISE THE WEEKEND THAT ATTACHES TO THESE DAYS 'OFF' SCHOOL. IF THERE ARE NO 'THREE DAY' WEEKENDS IN THOSE MONTHS, THE DEFENDANT SHALL EXERCISE THE 2<sup>ND</sup> FULL WEEKEND OF THOSE MONTHS, FROM FRIDAY AT 5:00 P.M. UNTIL SUNDAY AT 5:00 P.M.

F) IN THE SUMMER MONTHS, THE DEFENDANT SHALL HAVE THE CHILDREN FROM JUNE 15<sup>TH</sup> THROUGH AUGUST 10<sup>TH</sup> OF EACH SUMMER.

4. THE DEFENDANT MAY TRANSPORT THE CHILDREN TO THE STATE OF MARYLAND FOR LABOR DAY, MEMORIAL DAY, THANKSGIVING, CHRISTMAS, SPRING BREAK AND SUMMER PARENTING TIME PERIODS.

THE DEFENDANT SHALL BE RESPONSIBLE FOR THE LABOR DAY, THANKSGIVING AND SUMMER PARENTING TIME FLIGHTS (ROUND-TRIP) EACH YEAR. THE PLAINTIFF SHALL BE RESPONSIBLE FOR THE MEMORIAL DAY, CHRISTMAS AND SPRING BREAK TRIPS EACH YEAR.

IF THE PARTIES CHOOSE TO FLY THE CHILDREN TO MARYLAND, THEY SHALL EITHER ESCORT THEM, OR WHEN OLD ENOUGH, PAY THE FEES TO HAVE THEM ESCORTED BY THE AIRLINES.

5. FOR WEEKEND PARENTING TIME PERIODS IN OCTOBER, JANUARY, FEBRUARY AND MARCH, THE DEFENDANT SHALL COME TO MICHIGAN FOR THESE VISITS, EXERCISING PARENTING TIME IN A HOTEL IN MICHIGAN, OR HIS PARENT'S HOME, AS HE SO CHOOSES. THE DEFENDANT SHALL BE RESPONSIBLE TO PICK'UP' THE CHILDREN AT THE BEGINNING OF THE WEEKEND, AND THE PLAINTIFF SHALL PICK UP THE CHILDREN AT THE CONCLUSION OF EACH WEEKEND. SHE SHALL NOT BE EXPECTED TO TRAVEL FURTHER THAN THE DISTANCE TO ROYAL OAK, MICHIGAN, TO TRANSPORT THE CHILDREN 'BACK' FROM THE LOCATION WHICH THE DEFENDANT CHOOSES TO EXERCISE PARENTING TIME.

6. THE DEFENDANT SHALL ASSURE THE CHILDREN ARE NOT EXPOSED TO PORNOGRAPHY OR ANY SEXUALLY ORIENTED ACTIVITY AT ANY TIME DURING PARENTING TIME PERIODS.

7. THE PARTIES SHALL BE GRANTED THE ABILITY TO SPEAK TO, OR 'FACE TIME' THE CHILDREN ON TWO OCCASIONS EACH WEEK THE CHILDREN ARE IN THE OTHER PARENT'S CARE. PHONE CALLS OR 'FACE TIME' SHALL OCCUR AT 7:00 P.M. ON WEDNESDAYS AND SUNDAYS OF THE WEEKS THE CHILDREN ARE WITH THEIR MOTHER.

THE PLAINTIFF MAY HAVE TWO PHONE CONTACTS/FACE TIME CONTACTS WITH THE CHILDREN EACH WEEK THE CHILDREN ARE WITH THE DEFENDANT AT TIMES AGREEABLE BETWEEN THE PARTIES. IF THEY ARE UNABLE TO REACH AGREEMENT, SHE MAY CONTACT THE CHILDREN THE DAY THEY ARRIVE AT THEIR DESTINATION FOR PARENTING TIME AT 7:00 P.M. AND HAVE ONE PHONE CALL AT 7:00 P.M. THE DAY PRIOR TO RETURNING HOME. SHE MAY HAVE ONE PHONE CONTACT WITH THE CHILDREN WHEN GONE ON A WEEKEND WITH THE DEFENDANT, TO OCCUR SATURDAY MORNING AT 9:00 A.M.

RESPECTFULLY SUBMITTED,

JILL HOGENSON, LMSW, ACSW

CUSTODY SPECIALIST

1/24/2013